

IT IS ORDERED

Date Entered on Docket: June 4, 2020



The Honorable Robert H Jacobvitz  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

PROCOPIO JOHN GONZALES and  
DELLA M. GONZALES,

Debtors.

Case No. 20-10678-j7

**ORDER GRANTING MOTION TO MODIFY THE AUTOMATIC STAY  
PURSUANT TO 11 U.S.C. § 362(d)(1) AND FOR THE ABANDONMENT  
OF PROPERTY PURSUANT TO 11 U.S.C. § 554(b)**

THIS MATTER came before the Court on the motion (the “Motion”) of Southwest Capital Bank (“Creditor”), by and through its counsel, the Giddens & Gatton Law, P.C. (Chris M. Gatton), to modify the automatic stay embodied in 11 U.S.C. § 362(a) to allow Creditor to exercise all remedies available under non-bankruptcy law relating to Promissory Note dated June 24, 2016 (the “Note”), secured by certain of the Debtors’ vehicles (the “Property”). Creditor also sought abandonment of the Property from the estate pursuant to 11 U.S.C. § 554(b). Creditor represents and the Court now FINDS:

1. The Motion was filed on May 7, 2020 (“Docket No. 16).

2. Notice of the deadline to object to the relief requested in the Motion was filed and served on May 8, 2020 (Docket No. 18).

3. The deadline for objections to the relief requested in the Motion to have been timely filed was June 1, 2020, including an additional 3 days for service by mail.

4. No objections were filed, timely or otherwise.

5. The relief requested in the Motion should therefore be granted.

It is therefore ORDERED, ADJUDGED, and DECREED that:

A. The automatic stay is hereby modified to allow Creditor to pursue all available non-bankruptcy remedies against the Property, including Sale of the Property;

B. The Property is hereby abandoned pursuant to 11 U.S.C. § 554(b); and

C. The fourteen day stay imposed by Rule 4001(a)(3) does not apply.

### END OF ORDER ###

Submitted by:

Giddens & Gatton Law, P.C.

/s/Christopher M. Gatton,  
Submitted electronically 6.2.2020  
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